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**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:10-cv-05923-RS**

Tri-Valley Cares v. United States Department of Energy et al
Assigned to: Hon. Richard Seeborg
Referred to: Magistrate Judge Laurel Beeler (Settlement)
Cause: 05:552 Freedom of Information Act

Date Filed: 12/28/2010
Date Terminated: 12/20/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Tri-Valley Cares

represented by **Scott Justin Yundt**
Tri-Valley CAREs
2582 Old First Street
Livermore, CA 94551
925-443-7148
Fax: 925-443-0177
Email: scott@trivalleycares.org
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Energy

represented by **Abraham A. Simmons**
U.S. Attorney's Office
450 Golden Gate Avenue
P.O. Box 36055
San Francisco, CA 94102
415-436-7264
Fax: (415) 436-6748
Email: abraham.simmons@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**National Nuclear Security
Administration**
*an agency of the U.S. Department of
Energy*

represented by **Abraham A. Simmons**
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------------|---|
| 12/28/2010 | <u>1</u> | COMPLAINT for Declaratory and Injunctive Relief against National Nuclear Security Administration, United States Department of Energy (Filing fee \$ 350.00, receipt number 44611006198). Filed by Tri-Valley Cares. (gba, COURT STAFF) (Filed on 12/28/2010) (Additional attachment(s) added on 12/29/2010: # <u>1</u> Civil Cover Sheet) (gba, COURT STAFF). (Entered: 12/28/2010) |
| 12/28/2010 | <u>2</u> | Summons Issued as to National Nuclear Security Administration, United States Department of Energy. (gba, COURT STAFF) (Filed on 12/28/2010) (gba, COURT STAFF). (Entered: 12/28/2010) |
| 12/28/2010 | <u>3</u> | ADR SCHEDULING ORDER: Case Management Statement due by 4/1/2011. Case Management Conference set for 4/8/2011 01:30 PM in Courtroom A, 15th Floor, San Francisco. (gba, COURT STAFF) (Filed on 12/28/2010) (gba, COURT STAFF). (Entered: 12/28/2010) |
| 12/28/2010 | | CASE DESIGNATED for Electronic Filing. (gba, COURT STAFF) (Filed on 12/28/2010) (Entered: 12/28/2010) |
| 01/03/2011 | <u>4</u> | CERTIFICATE OF SERVICE by Tri-Valley Cares <i>To U.S. Attorney, Elsie Sato</i> (Yundt, Scott) (Filed on 1/3/2011) (Entered: 01/03/2011) |
| 01/21/2011 | <u>5</u> | CLERKS NOTICE To Plaintiff re: Consent or Declination to Proceed before a U.S. Magistrate Judge. Form due by 2/4/11. (klh, COURT STAFF) (Filed on 1/21/2011) (Entered: 01/21/2011) |
| 01/25/2011 | <u>6</u> | CONSENT to Proceed Before a US Magistrate Judge by Tri-Valley Cares.. (Yundt, Scott) (Filed on 1/25/2011) (Entered: 01/25/2011) |
| 01/26/2011 | <u>7</u> | CERTIFICATE OF SERVICE by Tri-Valley Cares <i>to US Attorney General</i> . Served 1/10/2011. (Yundt, Scott) (Filed on 1/26/2011) Modified on 1/27/2011 (mjj2, COURT STAFF). (Entered: 01/26/2011) |

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| 01/26/2011 | 8 | SUMMONS Returned Executed by Tri-Valley Cares. National Nuclear Security Administration served 1/18/2011. Answer due 3/21/2011. (Yundt, Scott) (Filed on 1/26/2011) Modified on 1/27/2011 (mjj2, COURT STAFF). (Entered: 01/26/2011) |
| 01/26/2011 | 9 | SUMMONS Returned Executed by Tri-Valley Cares. United States Department of Energy served 1/4/2011. Answer due 3/7/2011. (Yundt, Scott) (Filed on 1/26/2011) Modified on 1/27/2011 (mjj2, COURT STAFF). (Entered: 01/26/2011) |
| 01/31/2011 | 10 | ANSWER to Complaint <i>for Declaratory and Injunctive Relief</i> by National Nuclear Security Administration, United States Department of Energy. (Simmons, Abraham) (Filed on 1/31/2011) (Entered: 01/31/2011) |
| 02/01/2011 | 11 | CLERKS NOTICE To Defendants re: Consent or Declination to Proceed before a U.S. Magistrate Judge. Form due by 2/15/11. (klhS, COURT STAFF) (Filed on 2/1/2011) (Entered: 02/01/2011) |
| 02/15/2011 | 12 | Declination to Proceed Before a U.S. Magistrate Judge by National Nuclear Security Administration, United States Department of Energy. (Simmons, Abraham) (Filed on 2/15/2011) (Entered: 02/15/2011) |
| 02/15/2011 | 13 | CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (klhS, COURT STAFF) (Filed on 2/15/2011) (Entered: 02/15/2011) |
| 02/16/2011 | 14 | ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Richard Seeborg for all further proceedings. Judge Magistrate Judge Joseph C. Spero no longer assigned to the case.. Signed by Executive Committee on 2/16/11. (as, COURT STAFF) (Filed on 2/16/2011) (Entered: 02/16/2011) |
| 02/16/2011 | 15 | CLERKS NOTICE SCHEDULING A CASE MANAGEMENT CONFERENCE. Case Management Conference set for 4/14/2011 10:00 AM in Courtroom 3, 17th Floor, San Francisco. (cl, COURT STAFF) (Filed on 2/16/2011) (Entered: 02/16/2011) |
| 03/31/2011 | 16 | CERTIFICATE OF SERVICE by Tri-Valley Cares (Attachments: # 1 Standing Order Re: Initial Case Management)(Yundt, Scott) (Filed on 3/31/2011) (Entered: 03/31/2011) |
| 04/01/2011 | 17 | STIPULATION <i>Rescheduling Initial Case Managment Conference</i> by Tri-Valley Cares. (Yundt, Scott) (Filed on 4/1/2011) (Entered: 04/01/2011) |
| 04/04/2011 | 18 | STIPULATION AND ORDER RE 17 TO RESCHEDULE INITIAL CASE MANAGEMENT CONFERENCE. Stipulation filed by Tri-Valley Cares Case Management Conference set for 5/12/2011 10:00 AM in Courtroom 3, 17th Floor, San Francisco. Signed by Judge Richard Seeborg on 4/4/11. (cl, COURT STAFF) (Filed on 4/4/2011) (Entered: 04/04/2011) |

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| 05/02/2011 | <u>1</u> <u>9</u> | ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Yundt, Scott) (Filed on 5/2/2011) (Entered: 05/02/2011) |
| 05/04/2011 | <u>2</u> <u>0</u> | Certificate of Interested Entities by Tri-Valley Cares (Yundt, Scott) (Filed on 5/4/2011) (Entered: 05/04/2011) |
| 05/05/2011 | <u>2</u> <u>1</u> | JOINT CASE MANAGEMENT STATEMENT filed by Tri-Valley Cares. (Yundt, Scott) (Filed on 5/5/2011) (Entered: 05/05/2011) |
| 05/12/2011 | <u>2</u> <u>2</u> | Minute Entry: Initial Case Management Conference held on 5/12/2011 before Judge Richard Seeborg (Date Filed: 5/12/2011). (Court Reporter Not Reported.) (cl, COURT STAFF) (Date Filed: 5/12/2011) (Entered: 05/12/2011) |
| 05/13/2011 | <u>2</u> <u>3</u> | CASE MANAGEMENT SCHEDULING ORDER: ORDER REFERRING CASE to Magistrate Judge Beeler for Settlement. Further Case Management Conference set for 8/25/2011 10:00 AM in Courtroom 3, 17th Floor, San Francisco.. Signed by Judge Richard Seeborg on 5/12/11. (cl, COURT STAFF) (Filed on 5/13/2011) (Entered: 05/13/2011) |
| 05/20/2011 | <u>2</u> <u>4</u> | NOTICE AND ORDER REGARDING SETTLEMENT CONFERENCE before Magistrate Judge Laurel Beeler. Settlement Conference set for 8/2/2011 at 10:00 A.M. Signed by Magistrate Judge Laurel Beeler on 5/20/2011. (ls, COURT STAFF) (Filed on 5/20/2011) (Entered: 05/20/2011) |
| 07/22/2011 | <u>2</u> <u>5</u> | STIPULATION <i>Regarding Amended Complaint</i> by Tri-Valley Cares. (Yundt, Scott) (Filed on 7/22/2011) (Entered: 07/22/2011) |
| 07/22/2011 | <u>2</u> <u>6</u> | AMENDED COMPLAINT against National Nuclear Security Administration, United States Department of Energy. Filed by Tri-Valley Cares. (Yundt, Scott) (Filed on 7/22/2011) (Entered: 07/22/2011) |
| 08/02/2011 | <u>2</u> <u>7</u> | Minute Entry: Settlement Conference held. Further Telephonic Settlement Conference set for August 23, 2011 at 3:00 p.m. (Date Filed: 8/2/2011). (ls, COURT STAFF) (Date Filed: 8/2/2011) (Entered: 08/02/2011) |
| 08/02/2011 | <u>2</u> <u>8</u> | CLERKS NOTICE SETTING FURTHER TELEPHONIC Settlement Conference for 8/23/2011 at 3:00 P.M. before Magistrate Judge Laurel Beeler. (ls, COURT STAFF) (Filed on 8/2/2011) (Entered: 08/02/2011) |
| 08/09/2011 | <u>2</u> <u>9</u> | CLERKS NOTICE RESCHEDULING CASE MANAGEMENT CONFERENCE. Case Management Conference set for 9/8/2011 10:00 AM in Courtroom 3, 17th Floor, San Francisco. (cl, COURT STAFF) (Filed on 8/9/2011) (Entered: 08/09/2011) |

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| 08/19/2011 | <u>30</u> | STIPULATION AND <i>[PROPOSED]</i> ORDER TO RESCHEDULE INITIAL CASE MANAGEMENT CONFERENCE by Tri-Valley Cares. (Yundt, Scott) (Filed on 8/19/2011) (Entered: 08/19/2011) |
| 08/19/2011 | <u>31</u> | STIPULATION AND ORDER RE <u>30</u> TO RESCHEDULE INITIAL CASE MANAGEMENT CONFERENCE. Case Management Conference set for 9/22/2011 10:00 AM in Courtroom 3, 17th Floor, San Francisco. Signed by Judge Richard Seeborg on 8/19/11. (cl, COURT STAFF) (Filed on 8/19/2011) (Entered: 08/19/2011) |
| 08/23/2011 | <u>32</u> | Minute Entry: Further Telephonic Settlement Conference held (Date Filed: 8/23/2011). Further Telephonic Settlement Conference set for 10/18/2011 at 3:00 P.M. (ls, COURT STAFF) (Date Filed: 8/23/2011) (Entered: 08/24/2011) |
| 09/20/2011 | <u>33</u> | CASE MANAGEMENT STATEMENT (<i>Joint</i>) and <i>Proposed Order</i> filed by United States Department of Energy. (Simmons, Abraham) (Filed on 9/20/2011) (Entered: 09/20/2011) |
| 09/22/2011 | <u>34</u> | Minute Entry: Initial Case Management Conference held on 9/22/2011 before Judge Richard Seeborg (Date Filed: 9/22/2011). (Court Reporter Not Reported.) (cl, COURT STAFF) (Date Filed: 9/22/2011) (Entered: 09/22/2011) |
| 10/17/2011 | <u>35</u> | <i>DEFENDANTS UNITED STATES DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION'S ANSWER</i> to <u>26</u> First Amended Complaint <i>for Declaratory and Injunctive Relief</i> by National Nuclear Security Administration, United States Department of Energy. (Simmons, Abraham) (Filed on 10/17/2011) Modified on 10/18/2011 (gba, COURT STAFF). (Entered: 10/17/2011) |
| 10/18/2011 | <u>36</u> | Minute Entry: Settlement Conference held. (Date Filed: 10/18/2011) Further Telephonic Settlement Conference set for 11/9/2011 at 10:00 A.M. (ls, COURT STAFF) (Date Filed: 10/18/2011) (Entered: 10/19/2011) |
| 11/09/2011 | <u>37</u> | Minute Entry: Further Telephonic Settlement Conference held (Date Filed: 11/9/2011). (ls, COURT STAFF) (Date Filed: 11/9/2011) (Entered: 11/09/2011) |
| 12/20/2011 | <u>38</u> | STIPULATION <i>REGARDING SETTLEMENT AGREEMENT AND RELEASE; PROPOSED ORDER</i> by National Nuclear Security Administration, United States Department of Energy. (Simmons, Abraham) (Filed on 12/20/2011) (Entered: 12/20/2011) |
| 12/20/2011 | <u>39</u> | ORDER RE <u>38</u> SETTLEMENT AGREEMENT AND RELEASE. Signed by Judge Richard Seeborg on 12/20/11. (cl, COURT STAFF) (Filed on 12/20/2011) (Entered: 12/20/2011) |

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